



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Takeshi SAKAI et al. : Docket No. 00001/F-3511 PT-US

Serial No. 09/269,711 : Group Art Unit 1617

Filed April 5, 1999 : Examiner S. Wang
APOPTOSIS INDUCING AGENT : THE COMMISSIONER IS AUTHORIZED
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FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents,
Washington, DC 20231

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45-01

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of (X) the references listed on the attached Form PTO-1449 and/or () the additional information identified below in paragraph 4. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1. This Information Disclosure Statement is submitted:
 - a. within 3 months of the filing date of the above-identified application, or within 3 months of entry into National stage prosecution of an International application, or before the mailing date of the first Office Action on the merits, and thus:
 - no certification and/or fee is required.
 - b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:
 - the certification of paragraph 2 below is provided,
or
 - a fee of \$180.00 is enclosed.
 - c. after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus:

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(X) the certification of paragraph 2 below is provided,
and
(X) the Petition of paragraph 3 below is provided and \$180.00 fee therefore is enclosed.

2. It is hereby certified

(X) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

() that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. (X) Petition under 37 CFR 1.97 for consideration of this Information Disclosure Statement is hereby made.

4. () Consideration of the following additional information (including any co-pending or abandoned U.S. application, prior uses and/or sales, etc.) is requested:

5. (X) For each non-English language reference listed on the attached Form PTO-1449:

(X) reference is made to an English language translation or abstract submitted herewith, and/or

() reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

() reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

() reference is made to the concise explanation contained in the specification of the present application at page(s) , and/or

reference is made to the concise explanation set forth below:

6. Applicants also offer the following comments for the Examiner's consideration:
USP 6,022,561, USP 5,716,639 and USP 5,688,528 are in the same Patent Family as WO 95/20944, and USP 5,714,094 is in the same Patent Family as EP 0693547.

7. Also enclosed is a copy of the European Search Report citing these references.

Respectfully submitted,

Takeshi SAKAI et al.

By


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